

REMARKS/ARGUMENTS

Claims 1-25 are currently pending in the subject application and are presently under consideration. Claims 1, 10 and 22 are independent claims. Claim 25 is added by this Amendment.

Allowable Subject Matter

The Applicants note with appreciation the indication on page 9 of the Office Action that claims 10-17 and 22 are allowed.

35 U.S.C. 103(a) over Rao in view of Stern

Claims 1-9, 18-21 and 23-24 are rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 6,597,687 ("Rao") in view of U.S. Patent No. 5,191,626 ("Stern"). The Applicants respectfully traverse this art grounds of rejection.

Rao is directed to a method and apparatus for switching voice calls using a computer system (e.g., Rao, Abstract). As shown in FIG. 3 of Rao, a computer system 100 including a modem 125 is connected to a packet-switched network or Internet 300 (e.g., Rao, FIG. 3). A plurality of telephones 173 can engage in telephone calls via the computer system 100 (e.g., Rao, FIG. 3). The Examiner reads the claimed "transceiver" upon the modem 125, and the claimed "plurality of desksets" upon the plurality of telephones 173 (e.g., see Pages 4-5 of the Office Action).

The interaction between the telephones 173 and the modem 125 appears to be exclusively analog audio data, with any conversion to digital data taking place within the computer system 100. For example, FIG. 3 shows "AUDIO IN" and "AUDIO OUT" between the computer system 100 and telephones 173. As admitted by the Examiner, this type of exchange of audio data does not correspond to "exchanging packets with the transceiver, each packet including source, destination and error checking information" as recited in independent claim 1, for example (e.g., Page 6 of the Office Action).

Thus, while Rao discloses that the modem 125 can be 'shared' by multiple telephones 173, packet-data is not exchanged between the telephones and the modem 125. Rather, if the modem 125 wishes to send the voice-data from one or more of telephones 173 as packet-data, the computer system 100 would have to convert the voice-data into packet-data for transmission

to the Internet 300. Any transmissions from the computer-system 100 that had a packet-type format would likely include the same source information, i.e., identifying the computer system 100 itself, but not any particular telephone 173.

The Examiner cites to Stern for curing the above-noted deficiency of Rao. However, as will now be explained, while Stern discloses a plurality of stations that each transmit packets with source, destination and error-checking information, the Applicants believe that the Examiner has drawn the wrong conclusions from Stern's teachings.

Stern is directed to an optical communications system, whereby "each station would act as both a source and a destination" (e.g., see Col. 9, lines 7-8 of Stern) and "each station and node including a transmitter and a receiver dedicated to signaling" (e.g., see Col. 9, lines 17-20 of Stern). Because each station has its own "transmitter and a receiver", it follows that each station in Stern has its own transceiver.

Later, as cited by the Examiner, Stern states "[s]ignaling messages ... are transmitted in the form of data packets containing the usual source/destination addressing, control and error detection information" (e.g., Col. 9, lines 34-39 of Stern). Respectfully, the Applicants believe that the correct conclusions to draw from Stern is that each independent transceiver in a packet-switched computer network can transmit data packets with source/destination addressing and error detection information. However, in Rao, the plurality of telephones 173 are each behind the same transceiver, or modem 125. Thus, as taught by Rao, packets are transferred between the modem 125 to the Internet 300, which is consistent with Stern's teachings related to the packet-transmissions from stations having their own transceivers.

Based on the respective teachings of Rao and Stern, the only manner in which Rao could exchange packet-data between the individual telephones 173 and the Internet 300 would be for the telephones 173 to each have their own independent modems that are connected separately to the Internet 300. Clearly, this contradicts the teachings of Rao, which is directed to sharing a single modem by multiple telephones 173. Turning to Stern, Stern merely teaches that independent transceivers can each send packet data that identifies the transmitting transceiver as the 'source' of the transmission. This already occurs in Rao, but only between the transceiver (i.e., modem 125) and the external network, not between the individual telephones 173 and the modem 125.

In summation, the Applicants do not believe that Stern provides a rationale for modifying Rao such that packet-data is exchanged between the modem 125 and the telephones 173. The only manner in which it appears possible for packet-data to be exchanged by the telephones 173 in Rao is to provision each of the telephones 173 with their own modem. However, such a modification is not disclosed or suggested by Rao and/or Stern. Also, the claims would not even read upon such a modification to Rao, as claim 1 requires a "plurality of desksets" to be connected to the same transceiver. Accordingly, the combination of Rao and Stern would not result in a single transceiver being shared or connected to multiple desksets, with packet-data being exchanged between the single transceiver and the multiple desksets. As such, the Applicants submit that Rao in view of Stern cannot disclose or suggest "an interface bus that permits said desksets to communicate with said transceiver by exchanging packets with the transceiver, each packet including source, destination and error checking information" as recited in independent claim 1.

As such, claims 2-9, 18-21 and 23-24, dependent upon independent claim 1, are likewise allowable over Rao in view of Stern at least for the reasons given above with respect to the independent claim.

The Applicants respectfully request that the Examiner withdraw this art grounds of rejection.

CONCLUSION


In light of the remarks and/or amendments contained herein, the Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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By: _____


John Ketchum, Reg. No. 61,932
858.651.5723

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-2426
Facsimile: (858) 658-2502